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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THERESE L. LESHER,)	Case No. 2:21-cv-00386-WBS-DMC
)	
Plaintiff,)	STIPULATION AND ORDER MODIFYING
)	THE SCHEDULING ORDER (ECF NO. 67)
vs.)	[L.R. 144; Fed. R. Civ. P. 6(b)(1)(A)]
)	
CITY OF ANDERSON, et al.,)	
)	
Defendants.)	
)	

{Stip and proposed order to continue trial;00259677}**STIPULATION AND PROPOSED ORDER
MODIFYING SCHEDULING ORDER**

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PURSUANT TO CIVIL LOCAL RULE 144 (Fed. R. Civ. P. 6(b)(1)(A)), THE PARTIES HEREBY RESPECTFULLY STIPULATE, THROUGH THEIR ATTORNEYS OF RECORD, AS FOLLOWS:

1. The parties have worked cooperatively together, in good faith, to accomplish the necessary discovery and depositions. Most non-expert discovery has been completed, with the exception of depositions two to four witnesses, who have been difficult to locate and subpoena. Additionally, at least one deposition was taken off-calendar in view of the mediation (discussed below, in ¶¶ 3-4), but it will be rescheduled now.
2. The majority of the discovery remaining in order for the case to be ready for trial is expert disclosures and expert discovery.
3. The parties, in good faith, participated in an ADR session via private mediation with Russ J. Wunderli of Wunderli Mediation Services, on January 17, 2024, in a good faith effort to settle this case. The case did not resolve.
4. As a result of the mediation session, the parties had delayed expert disclosures, in order to conserve case costs and attorney time, in the event the case was resolvable.
5. Part of the logistical challenge presently facing the parties is that expert disclosures cannot be complete without non-expert discovery being closer to complete.
6. The parties to this action believe that with modest continuances of the remaining, successive deadlines in the case, including for the designation of experts and experts' rebuttals, the non-discovery motion deadline, the final pretrial conference, and trial, the case will then be ready to proceed to trial.
7. Defense counsel was trailing for two weeks in Placer County, and was then blind set for trial, on January 22, 2024, which trial is currently anticipated potentially to go through May 1, 2024, but may conclude sooner.
8. Meanwhile, the next available dates for the pretrial conference and trial proposed by defense counsel do not work for Plaintiff's counsel, due to obligations in other matters. The dates proposed below are the soonest dates on which the parties and

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their counsel are all available, and by which discovery and expert disclosures can be completed.

9. This is the parties' third extension request.

10. Based on the foregoing scheduling and logistical challenges, the parties respectfully stipulate and request that the following dates/deadlines be extended as follows:

Event	Current Date/Deadline	Proposed Date/Deadline
Designation of Experts with Reports	February 13, 2024	May 10, 2024
Designation of Rebuttal Experts with Reports	March 15, 2024	June 7, 2024
Discovery Cutoff (Fact and Expert, including compliance with any Motion to Compel Order)	April 15, 2024	July 12, 2024
Deadline to file non-discovery Motions	February 13, 2024	July 12, 2024
Final Pretrial Conference	April 22, 2024 / 1:30 p.m.	September 23, 2024
Trial	June 18, 2024, 9:00 a.m.	December 10, 2024

Respectfully Submitted,

Dated: February 22, 2024

**LAW OFFICE OF SANJAY S. SCHMIDT
-and-
LAW OFFICES OF PANOS LAGOS**

/s/Panos Lagos

By: Panos Lagos
Attorneys for Plaintiff,
THERESE L. LESHER

Dated: February 22, 2024

ANGELO, KILDAY & KILDUFF, LLP

/s/ Kevin J. Dehoff

By: Kevin Dehoff
KEVIN J. DEHOFF
Attorneys for Defendants CITY OF ANDERSON,
SEAN MILLER, JEFFREY MILEY, and
KAMERON LEE

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*Pursuant to Local Rule 131(e), counsel has authorized submission of this document on counsel's behalf.


ORDER

Pursuant to the parties' Stipulation and good cause appearing, the deadlines in this case are hereby modified by the Court as follows:

Event	Current Date/Deadline	Proposed Date/Deadline
Designation of Experts with Reports	February 13, 2024	May 10, 2024
Designation of Rebuttal Experts with Reports	March 15, 2024	June 7, 2024
Discovery Cutoff (Fact and Expert, including compliance with any Motion to Compel Order)	April 15, 2024	July 12, 2024
Deadline to file non-discovery Motions	February 13, 2024	July 12, 2024
Final Pretrial Conference	April 22, 2024 / 1:30 p.m.	September 23, 2024, 1:30 p.m.
Trial	June 18, 2024, 9:00 a.m.	December 10, 2024, 9:00 a.m.

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

Dated: February 23, 2024


WILLIAM B. SHUBB
 UNITED STATES DISTRICT JUDGE

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